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9 Attorneys for Defendant
10 OFFICER EUGENE LEW

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 ERIC ALEXIS,

14 Plaintiff,

15 VS.

16 OFFICER EUGENE LEW

17 Defendant.

18 Case No.: 3:16-cv-00905-WHA

19 STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING THE ONE-
HOUR DEPOSITION DEADLINE
FOR 30 DAYS

20 Judge: Hon. William Alsup

21 Pursuant to Civil Local Rule 7-12, Plaintiff Eric Alexis and Defendant Officer
22 Eugene Lew (the "Parties"), by and through their attorneys of record, hereby stipulate as
follows:

23 WHEREAS, on June 13, 2016, the Court ordered Plaintiff and Defendant each to
24 sit for a one-hour deposition on or before June 30, 2016, with June 27, 2016 being the
25 default date. (Dkt. No. 29.)

26 WHEREAS, pursuant to the Court's Case Management Order, one-hour
27 depositions of the parties were scheduled to take place on June 27, 2016 at 9:00 a.m.
28 at defense counsel's office in Walnut Creek, California.

STIPULATION AND ~~[PROPOSED]~~ ORDER CONTINUING THE ONE-HOUR DEPOSITION DEADLINE FOR 30 DAYS

3:16-cv-00905-WHA

1 WHEREAS, on the evening prior to the depositions, defense counsel was
2 informed that Plaintiff would be dismissing the case with prejudice and that the
3 depositions should be cancelled. Based upon the representation that the case was
4 going to be dismissed, the depositions were cancelled.

5 WHEREAS, on the afternoon of June 27, 2016, defense counsel was informed
6 that Plaintiff would not be dismissing this case and that he would be requesting
7 substitution of counsel.

8 WHEREAS, given the unusual situation the parties find themselves in, the parties
9 agree that the deadline to complete the one-hour depositions should be continued for
10 30 days.

11 WHEREAS, a 30-day extension of the one-hour depositions will allow Plaintiff to
12 submit a request for substitution of counsel, retain new counsel, and will not require the
13 extension of any other deadline in this matter.

14 Based on the foregoing, THE PARTIES, BY AND THROUGH THEIR
15 ATTORNEYS OF RECORD, HEREBY STIPULATE to the 30-day extension of the
16 Parties' one-hour depositions. The one-hour depositions shall occur on or before **July**

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STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING THE ONE-HOUR DEPOSITION DEADLINE FOR 30 DAYS

3:16-cv-00905-WHA

1 **29, 2016.** Plaintiff shall contact defense counsel on or before July 15, 2016 to schedule
2 the one-hour depositions.

3 All other deadlines set by the Court shall remain the same.

4 **IT IS SO STIPULATED.**

5 Dated: June 28, 2016

LEONE & ALBERTS

6 By: /s/, Seth Gordon
7 SETH L. GORDON, ESQ.
8 Attorney for Defendant OFFICER EUGENE LEW

9 Dated: June 28, 2016

LAW OFFICES OF STEVEN YOURKE

10 By: /s/, Steven Yourke
11 STEVEN YOURKE, ESQ.
12 Attorney for Plaintiff ERIC ALEXIS

13 **[PROPOSED] ORDER**

14 Pursuant to the Stipulation of the parties, it is hereby ordered as follows:

- 15 1. Without prejudice to further deposition, a one-hour deposition shall be
16 taken of each party on or before July 29, 2016.
17 2. Plaintiff, or his legal representative, shall contact counsel for Defendant on
18 or before July 15, 2016 to schedule the one-hour depositions.

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20 Dated:

June 28, 2016.

21 
HON. WILLIAM ALSUP
United States District Court Judge